

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

JUN 7 2005

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAY PAUL DRUMMOND, DALE BLACKSON,
BOB A. CICHON, JOSEPH C. ESS, MARK A. MOALES,
DAVID W. WEIS, MARK D. SMITH and JAMES CHURCH

Application 09/193,564

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on May 18, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

A panel remand was mailed on July 12, 2004, requesting that the examiner prepare a substitute examiner's answer that explains his rejections *in toto* rather than incorporating the rejections by reference. On March 23, 2005, a communication from the examiner was mailed and scanned into the record, stating that

Application 09/193,564

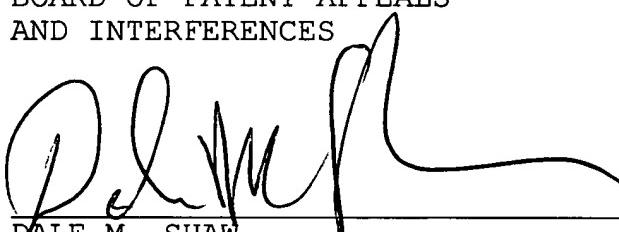
"This is in response to the remand filed 7/12/2004. Error has been filed". In reviewing the IFW file, the response to the remand has not been scanned into the record.

Accordingly, it is

ORDERED that the application is electronically returned to the Examiner to respond to the remand dated July 12, 2004, and for such further action as may be appropriate.

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By:


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GJH

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